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BROOKLYN OFFICE

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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PURE LOVE MUSIC, et al.,

Plaintiffs,

-against

JMC ENTERTAINMENT, INC., et ano.,

Defendants.

-----X
GLASSER, United States District Judge:

The plaintiffs have moved this Court for an Order that would award them reasonable litigation costs and attorney's fees in the sum of \$28,344.00. No papers in opposition have been filed.

This action was commenced to vindicate the rights of the plaintiff granted by the Copyright Act, 17 U.S. § § 502, 504 and 505 by enjoining the defendants from infringing the plaintiffs' copyright; awarding them statutory damages for such infringement; and, reimbursement for litigation costs and attorney's fees.

Following negotiations, the parties arrived at a settlement by the terms of which the defendants agreed to pay the plaintiffs \$35,000 in accordance with a payment schedule and \$50,000 in the event of a default in payment. The plaintiffs were subsequently informed by counsel for the defendants that they had no intention of complying with the settlement. A motion to enforce the settlement was filed and granted by the Court directing that judgment be entered against the defendants for \$50,000 plus reasonable costs and attorney's fees.

Annexed to the plaintiffs' motion papers are detailed time sheets accounting for the time spent by two associates, a partner and a paralegal and the billing rate for the time spent by each, and the costs of litigating the action. The Court has carefully

examined those time sheets with the limitation, geographic and otherwise, imposed on them by the cases spawned by Simmons v. N.Y. City Transit Auth., 575 F.3d 170, 174 (2d Cir. 2009), Lochren v. County of Suffolk, 344 Fed. App. 706 (2d Cir. 2009), clearly in mind. The sums sought are authorized by 17 U.S.C. § 505 and are reasonable and just.

Accordingly, the plaintiffs' motion is granted and a judgment against the defendants in the sum of \$28,344 is hereby directed to be entered.

SO ORDERED.

Dated: Brooklyn, New York
April 1, 2010

s/I. Leo Glasser

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